



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,229	09/20/2001	Kuansan Wang	M61.12-0391	5871

27366 7590 09/29/2005

MICROSOFT CORPORATION C/O WESTMAN  
CHAMPLIN & KELLY, P.A.  
SUITE 1400 - INTERNATIONAL CENTRE  
900 SECOND AVENUE SOUTH  
MINNEAPOLIS, MN 55402-3319

EXAMINER

VO, HUYEN X

ART UNIT	PAPER NUMBER
----------	--------------

2655

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/960,229

Applicant(s)

WANG ET AL.

Examiner

Huyen X. Vo

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, and 7-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant has submitted an amendment filed 11/24/2004 arguing to traverse the art rejection based on amended features. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection necessitated by claim amendment in view of Dragosh et al. (US 6366886).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 7, and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Dragosh et al. (US 6366886).

4. Regarding claim 1, Dragosh et al. disclose a computer readable medium including instructions readable by a computer which, when implemented, cause the computer to handle information by performing steps comprising: receiving data over a wide area network indicative of input from a client device and an indication of a grammar (*col. 5, lines 29-60*) from the client device to be used with the data indicative of the input to perform recognition (*col. 4, line 30 to col. 5, line 67*); and sending data

Art Unit: 2655

indicative of recognition results for the data indicative of the input to a remote location on the wide area network (*col. 6, lines 54-67*).

5. Regarding claim 11, Dragosh et al. a method for speech recognition in a client/server network, the method comprising: receiving data over a wide area network indicative of input speech together with an indication of a grammar (*col. 5, lines 29-60*) to be used with the data indicative of input to perform recognition (*col. 4, line 30 to col. 5, line 67*); processing the data using the grammar with a recognizer to obtain recognition results (*col. 6, lines 54-67*); and sending the recognition results for the data indicative of the input to a remote location on the network (*col. 6, lines 54-67*).

6. Regarding claims 2, 7, and 12, Dragosh et al. further disclose that the indication provides a reference to a location of the grammar (*col. 5, lines 29-60*), and wherein the recognizer comprises a speech recognizer and the grammar relates to speech recognition (*col. 5, lines 29-60*).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2655

8. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dragosh et al. (US 6366886) in view of official notice/Applebaum et al. (US 6463413).

9. Regarding claims 8-10, Dragosh et al. fail to specifically disclose that a recognizer comprises a handwriting recognizer and the grammar relates to handwriting recognition, a gesture recognizer and the grammar relates to gesture recognition, and a visual recognizer and the grammar relates to vision recognition. However, the examiner take official notice that handwriting, gesture, and visual recognitions are well known as evidenced by Applebaum et al. for their purpose in recognizing different types of input. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate handwriting, gesture, and visual recognitions in the system of Dragosh et al. in order to provide multiple recognition modes for different type of input. The advantage is to provide different types of recognition to suit user's usage preference.

10. Claims 3 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dragosh et al. (US 6366886) in view of Ladd et al. (US 6269336).

11. Regarding claims 3 and 13, Dragosh et al. fail to specifically disclose that the indication includes a reference to a language for recognition. However, Ladd et al. teach that the indication includes a reference to a language for recognition (*col. 6, lines 25-35*).

Since Dragosh et al. and Ladd et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Ladd et al. in order to enable users speaking a foreign language to use the system.

12. Regarding claims 14-15, Dragosh et al. fail to specifically disclose the step of providing a prompt to the remote location, and wherein providing a prompt comprises converting text data to speech data speech data to the remote location. Ladd et al. teach the step of providing a prompt to the remote location (*col. 14, lines 43-67*), and wherein providing a prompt comprises converting text data to speech data speech data to the remote location (*col. 14, lines 10-14*).

Since Dragosh et al. and Ladd et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Dragosh et al. by incorporating the teaching of Ladd et al. in order to provide interactive voice communications with the user.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

9/20/2005

  
W. R. YOUNG  
PRIMARY EXAMINER